

Central Administrative Tribunal, Principal Bench



RA No. 82 of 2005 In
O.A. No. 2729/2003

At New Delhi this the 28th of July, 2005

Hon'ble Mr. Justice M.L. Khand, Vice Chairman (1)
Hon'ble Mr. D.K. Tewari, Member (2)

M.R. Satyam, DPA (3)

GS/ADGIS/TMC/2005

W/o. D.P.O. No. 102, Tughlaq

New Delhi.

Review Application

VISUS

U.O. 1 entitling

REVIEW APPLICATION

Mr. D.K. Tewari, Member, Central Administrative Tribunal

That this RA has been filed by this applicant for the review of an order dated

31.7.2005 passed in OA 2729/2003.

We have perused the order dated 31.7.2005 and do not find any ground apparent on the face of the record or discovery of new and important material which is not available to the applicant even after notice of the due date for filing the review application, to justify the same. The order is in accordance with the order passed by the Tribunal before us elsewhere. The Apex Court

Union of India vs. Bharat Petroleum Corporation Ltd. (2003) 10 SCC 363 observed under

para 13. The Tribunal passed the impugned order after reviewing the record. A bare reading of the two orders shows that the order of rejection of application was in complete consonance and disaccord of the said order, which being as well as sound reasons contained therein whereby the original application was rejected. The scope for review is rather limited and it is the

permissible for the forum hearing the review application to act as an appellate authority in respect of the original order by a fresh order and rehearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review petition as if it was hearing an original application. This aspect has also not been noticed by the High Court”

3. Having regard to the above, RA is dismissed in circulation.

D.R. Tiwari
(D.R. Tiwari)
Member (A)

Rakesh

M.A. Khan
(M.A. Khan)
Vice Chairman (J)